

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

|                                       |   |                         |   |
|---------------------------------------|---|-------------------------|---|
| IN RE:                                | § |                         |   |
|                                       | § |                         |   |
| SKYPORT GLOBAL                        | § | CASE NO. 08-36737-H4-11 |   |
| COMMUNICATIONS, INC.,                 | § | (Chapter 11)            |   |
| Debtor                                | § |                         |   |
| JOANNE SCHERMERHORN, JOHN K.          | § |                         |   |
| WAYMIRE, ET AL,                       | § |                         |   |
| PLAINTIFFS                            | § |                         |   |
|                                       | § |                         |   |
| VS.                                   | § | ADVERSARY NO. 10-03150  |   |
|                                       | § |                         |   |
| CENTURYTEL, INC. (A/K/A CENTURYLINK), | § |                         |   |
| CLARENCE MARSHALL, ET AL,             | § |                         |   |
| DEFENDANTS                            | § |                         |   |
|                                       | § |                         |   |
| SKYPORT GLOBAL                        | § |                         |   |
| COMMUNICATIONS, INC., ET. AL          | § | ADVERSARY NO. 10-03225  |   |
| PLANITIFFS                            | § |                         | § |
| VS.                                   | § |                         |   |
|                                       | § |                         |   |
| JOANNE SCHERMERHORN, ET. AL.          | § | (CONSOLIDATED UNDER     |   |
| DEFENDANTS                            | § | ADVERSARY NO. 10-03150) |   |

## NOTICE OF APPEAL

(Relates to orders assigned docket nos. 242, 243, 261, and 267 and further relates the notices of appeal assigned docket nos. 305 and 310 which appeals have been assigned to U.S. District Judge Sim Lake, Civil Action 4:11cv1524;)

Skyport Global Communications, Inc. n/k/a Trustcomm, Inc., Robert Kubbernus, Balaton Group, Inc., Bankton Financial Corporation, LLC, and Bankton Financial Corporation (collectively “Cross-Appellants”) respectfully cross-appeal the below-described orders:

1. Order entered November 9, 2010, and assigned docket number 242: “Order Awarding Additional Sanctions Against Joanne Schermerhorn, et al;”

2. Order entered November 9, 2010, and assigned docket number 243: “Order Holding JoAnne Schermerhorn, et al In Contempt of the June 10,2010 Preliminary Injunction;”

3. Order entered December 7, 2010, and assigned docket number 261: “Order Disposing of Docket Items 227 and 229;” and

4. Order entered December 16, 2010, and assigned docket number 267: “Second Order Holding Joanne Schermerhorn et al in Contempt of the June 10, 2010 Preliminary Injunction.”

The names of all parties to the above-described orders together with the names, addresses, and telephone numbers of their respective attorneys are:

| Party   | Attorney of record   |
|---|--|
| Joanne Schermerhorn, John K. Waymire, Chet Gutowsky, Llewellyn, Joseph A. Lopez, Robert Foote, BLF Partners, Ltd., ECAL Partners, Ltd., Whiz Kid Ventures, Bella Kreiger, Martin Pollack, Gloster Holdings, LLC, Melvyn Reiser, Barry Klein, Yecheskel Kahan, Rees A. John, Brian W. Harle, Michael Stein, Lawrence Solomon, Tracy Elstein, David Togut, Jason Charles Togut Trust, BMT Grantor Trust, Lynn Joyce Elstein Trust, Charles Stack, Joseph Baker, Movada, Ltd., Puddy, Ltd., Draco Capital, Inc., Edward Pascal, Robert Mendel, Stanley Beraznik, Don Dui, Ben Ariano, 3790168 Canada, Inc., Peter Taylor, John E. Panneton, Wayne C. Fox, David Currie, Byron Messier, Darshan Khurana, Mateo Novelli, Diya Al-sarraj, Sequoia Agressive Growth Fund, Ltd., Sequoia Diversified Growth Fund, Ltd., Rig III Fund, Ltd., ARAN Asset Management SA, Semper-Gestion SA, and Eosphoros Asset Management, Inc. | Eric Fryar<br>The Fryar Law Firm<br>1001 Texas Ave, Ste 1400<br>Houston, TX 77002-3194<br><br>Samuel Goldman<br>Samuel Goldman & Assoc.<br>100 Park Ave 20 <sup>th</sup> FL<br>New York, NY 10017<br><br>Harold B. Obstfeld<br>Harold B. Obstfeld, P.C.<br>100 Park Ave 20 <sup>th</sup> FL<br>New York, NY 10017<br><br>W. Steve Smith<br>McFall, Breitbeil & Shults, P.C.<br>1331 Lamar Street, Suite 1250<br>Houston, Texas 77010 |
| Centurytel, Inc.<br>Clarence Marshall<br>Stewart Ewing, Jr.<br>Michael E Maslowski<br>Harvey P. Perry   | Christopher L. Limpus<br>Hugh Massey Ray, III<br>Ivan Wang<br>Nicholas Zugaro<br>Robert Marc Manley  |

| Party  | Attorney of record  |
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Respectfully submitted,

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/s/ Annie E. Catmull

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and Bankton Financial Corporation.*

### **CERTIFICATE OF SERVICE**

I hereby certify that true and correct copies of the above notice of cross appeal were forwarded via email, through the Court's ECF notification system, to the email addresses noted below on April 27, 2011:

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*/s/ Annie E. Catmull*

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